

UNITED STATES DISTRICT COURT  
MIDDLE DISTRICT OF PENNSYLVANIA

UNITED STATES OF AMERICA

CR. NO. 3:24-CR- 272

v.

(Judge *Mehalchick*)

HARRY BROWN, and  
RICHARD CLINK,

Defendants.

INDICTMENT

THE GRAND JURY CHARGES:

COUNT 1

18 U.S.C. § 242

(Deprivation of Rights under Color of Law)

On or about February 2, 2022, in Schuylkill County, within the  
Middle District of Pennsylvania, the defendants,

**HARRY BROWN and RICHARD CLINK,**

while acting under color of law and aiding and abetting one another,  
willfully deprived an arrestee, D.P., of the right, secured and protected  
by the Constitution and laws of the United States, to be free from  
unreasonable seizures, which includes the right to be free from the use  
of unreasonable force by a law enforcement officer. Specifically, the

Defendants physically assaulted D.P. by striking and punching him.

The offense resulted in bodily injury to D.P.

In violation of Title 18, United States Code, §§242 and 2.

THE GRAND JURY FURTHER CHARGES:

**COUNT 2**  
18 U.S.C. § 1519  
(False Report)

On or about February 4, 2022, in Schuylkill County, within the  
Middle District of Pennsylvania, the defendant,

**HARRY BROWN,**

acting in relation to and in contemplation of a matter within the  
jurisdiction of the Federal Bureau of Investigation, an agency of the  
United States, knowingly falsified, covered up, and made false entries  
in records and documents with the intent to impede, obstruct, and  
influence an investigation and proper administration of the matter.  
Specifically, Defendant BROWN wrote and filed a Call Summary  
Report with the Minersville Police Department documenting the arrest  
of suspect D.P. on February 2, 2022. In the Call Notes section of that

report, Defendant BROWN stated, in pertinent part: "He took a boxer's stance and raised his fists. I drew my taser and gave him multiple orders to the ground, which he refused. I deployed my taser which had no effect on him. Officer Clink got shocked by one of the wires when it was deployed. [D.P.] grabbed those wires and pulled them off his body without any affect. We then went hands on to take him to the ground. He continued to fight by striking me in the right side of my face, pushing us, and trying to pull away. I stepped back, reloaded another taser cartridge while he continued to fight with Officer Clink. I then deployed my taser, again it had no effect on [D.P.] I then drive stunned him with the taser in the upper torso. [D.P.] bent over slightly from it. Which all three of us went to the ground. Once we hit the ground, I felt an instant pain in my right hand. [D.P.] continued to fight by resisting, not putting his hands behind his back, kept trying to get up off the ground. I then pulled my OC and told him he was going to get sprayed if he didn't put his hands behind his back. He continued to fight by not putting his hands behind his back, kept trying to get up, and as kicking. I then deployed my OC, which had no effect on him. He continued to

fight. I then gave body strikes which appeared to have no effect because he continued to fight and resist.” This report was false, as Defendant BROWN then well knew, because during the course of the arrest Defendants BROWN and CLINK had deployed their tasers against D.P. as D.P. was facing away from the defendants with his hands behind his back, and that while the defendants were on top of D.P. on the ground, Defendant BROWN punched D.P. about the face and torso multiple times, elbowed D.P. in the face multiple times, slammed D.P.’s head against the street, deployed pepper spray directly into the eyes of D.P., and Defendant CLINK punched D.P. about the head and torso.

In violation of Title 18, United States Code, §1519.

THE GRAND JURY FURTHER CHARGES:

**COUNT 3**  
18 U.S.C. § 1519  
(False Report)

On or about February 4, 2022, in Schuylkill County, within the Middle District of Pennsylvania, the defendant,

**RICHARD CLINK,**

acting in relation to and in contemplation of a matter within the

jurisdiction of the Federal Bureau of Investigation, an agency of the United States, knowingly falsified, covered up, and made false entries in records and documents with the intent to impede, obstruct, and influence an investigation and proper administration of the matter. Specifically, Defendant CLINK wrote and filed a Supplemental Report with the Minersville Police Department documenting the arrest of suspect D.P. on February 2, 2022. In that report, Defendant CLINK stated, in pertinent part: “[D.P.] took a combative stance with his fists raised. At this time, this officer backed away and Ptlm. Harry Brown had drawn his duty taser. [D.P.] continued to refuse commands and the taser was deployed. [D.P.] was unaffected by the taser and pulled the probes from his body. Again, this officer and Ptlm. Brown attempted to subdue [D.P.] but were unsuccessful. Ptlm. Brown deployed his duty taser for a second time and was unsuccessful incapacitating [D.P.]. [D.P.] was then taken to the ground, lying on his right side, and then rolled stomach down with his arms underneath him. This officer utilized his duty taser to drive stun mode to [D.P.]’s shoulder area which was also unable to incapacitate [D.P.]. [D.P.] attempted to stand

lifting this officer off the ground and a hand blow strike was initiated.” This report was false, as Defendant CLINK then well knew, because during the course of the arrest Defendants BROWN and CLINK had deployed their tasers against D.P. as D.P. was facing away from the defendants with his hands behind his back, and that while the defendants were on top of D.P. on the ground, Defendant BROWN punched D.P. about the face and torso multiple times, elbowed D.P. in the face multiple times, slammed D.P.’s head against the street, deployed pepper spray directly into the eyes of D.P., and Defendant CLINK punched D.P. about the head and torso.

In violation of Title 18, United States Code, §1519.

A TRUE BILL

GERARD M. KARAM  
United States Attorney

  
JAMES M. BUCHANAN  
Assistant United States Attorney

  
FOREPERSON

10-1-24  
Date